

*Lamasca / Jenks*

SOLICITOR

MAR 11 2005

U.S. PATENT & TRADEMARK OFFICE

NOTE: Pursuant to Fed. Cir. R. 47.6, this order is not citable as precedent. It is a public order.

## United States Court of Appeals for the Federal Circuit

05-1164

(Serial No. 08/873,974)

IN RE MICHAEL C. SCROGGIE, DAVID A. ROCHON, DAVID W. BANKER,  
and WILL GARDENSWARTZ (Real Party in Interest Catalina Marketing Corporation)

ON MOTION

### ORDER

Upon consideration of the unopposed motion of Michael C. Scroggie et al. to remand this case to the Patent and Trademark Office for further proceedings,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

MAR - 9 2005

Date

*Jan Horbaly*

Jan Horbaly  
Clerk

cc: Robert G. Crockett, Esq.  
John M. Whealan, Esq.

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MAR - 9 2005

ISSUED AS A MANDATE : \_\_\_\_\_

FILED  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

MAR - 9 2005

JAN HORBALY  
CLERK

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